

Appl. No. : 10/508,969
Filed : April 8, 2005

REMARKS

Claim 1 has been amended by incorporating therein the limitation of Claim 10 and further clarifying the subject matter recited therein. For illustrative purposes, the Examples in the specification disclose the subject matter, rather than limiting it. Claim 10 has been canceled accordingly. No new issue or new matter has been raised. Applicant respectfully requests entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

Declaration

The Office Action states:

The papers comprising acrylamides having molecular weights within the claimed range appeared to have a higher bulk, breaking length, brightness and opacity than those comprising acrylamides having molecular weights outside of the claimed range. However, the electric charge of the polyacrylamides used with respect to pH is unknown. The differences between the Examples 1-2 and the comparative Examples 1-2 are small, as stated by the Applicant, and the error in the experiments is unknown, thus it is not possible to evaluate whether the differences are within the expected error range or not. *Office Action* at page 2, paragraph 1, lines 11-15.

In view of the above, Applicant submits herewith a Supplemental Declaration showing the electric charges and the errors. As shown in ¶2 on page 1 of the Supplemental Declaration, since the electric charges of all the polyacrylamides used in Examples 1 and 2 and Comparative Examples 1 and 2 fall within the range recited in claim 1, the experimental data show the significant effects of the molecular weight on the density, breaking length, hunter brightness, and hunter opacity. Applicant respectfully requests full consideration of the Declaration.

Response to Arguments

The Office Action states that Applicant has not presented convincing evidence that paper comprising polyacrylamides having the claimed molecular weight of 2,500,000 would have been unobvious or have unexpected advantages over the paper disclosed by Winiker, and evidence that a paper comprising polyacrylamides having the claimed electric charge and molecular weight ranges shows advantages over a paper comprising the polyacrylamides of Honig et al. *Office Action* at page 3, paragraph 2.

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There appears to be no dispute about the fact that claim 1 is directed to a narrow range of the molecular weight whereas the references teach a broader range. Claim 1 has been further limited to the use of LPKP, which is supported by the Examples disclosed in the specification and in the Declaration and the Supplemental Declaration. The unexpected results of the specific molecular weight range of polyacrylamides are shown in the Declaration (§§16-19) and the Supplemental Declaration (§§5-6). Applicant respectfully requests removal of the rejections based on the teachings of Winker and Honig et al.

Rejection of Claims 1, 3-5, 7-8, 10-15 Under 35 U.S.C. § 103(a)

Claims 1, 3-5, 7-8, and 10-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Winiker (US5032226) as evidenced by Alfrey, Jr. et al ("Amphoteric Polyelectrolytes. II. Copolymers of Methacrylic Acid and Diethylaminoethyl Methacrylate" Journal of American Chemical Society, V.74 (1952) pp.438-441) and Alfrey, Jr. et al ("Preparation and Titration of Amphoteric Polyelectrolytes" Journal of Polymer Society, V23 (1957) pp.533-547).

As discussed in the above section titled "Response to Arguments," the unexpected results of the narrow range of the molecular weight in connection to the use of LPKP are established, and the subject matter recited in claim 1 and its dependent claims (claim 10 has been canceled) could not be obvious based on the teaching of Winiker. Without relying on the teaching of Winiker, this rejection could not be maintained, and Applicant respectfully requests withdrawal of this rejection.

Rejection of Claims 1, 4-5, 7-8, and 10-15 Under 35 U.S.C. § 102/§ 103(a)

Claims 1, 4-5, 7-8, and 10-15 have been rejected under 35 U.S.C. § 102(a) as anticipated by or under 35 U.S.C. § 103(a) as obvious over Honig et al (US5167766) as evidenced by Alfrey, Jr. et al ("Amphoteric Polyelectrolytes. II. Copolymers of Methacrylic Acid and Diethylaminoethyl Methacrylate" Journal of American Chemical Society, V.74 (1952) pp.438-441) and Alfrey, Jr. et al ("Preparation and Titration of Amphoteric Polyelectrolytes" Journal of Polymer Society, V23 (1957) pp.533-547).

As discussed in the above section titled "Response to Arguments," the unexpected results of the narrow range of the molecular weight in connection to the use of LPKP are established, and the subject matter recited in claim 1 and its dependent claims (claim 10 has been canceled) could not be

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anticipated or obvious based on the teaching of Honig et al. Without relying on the teaching of Honig et al., this rejection could not be maintained, and Applicant respectfully requests withdrawal of this rejection.

Rejection of Claims 2-4 and 6 Under 35 U.S.C. § 103(a)

Claims 2-4 and 6 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Winiker or Honing et al, in view of Tashiro et al (4935097) and Schade et al (2002/0182379). As discussed

As discussed in the above section titled "Response to Arguments," the unexpected results of the narrow range molecular weight in connection to the use of LPKP are established, and the subject matter recited in claim 1 and its dependent claims (claim 10 has been canceled) could not be obvious based on the teaching of Winiker or Honig et al. Without relying on the teaching of Winiker or Honig et al, this rejection could not be maintained, and Applicant respectfully requests withdrawal of this rejection.

CONCLUSION

In light of the Applicant's amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.


Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 30, 2008

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